

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION

NO. 7:18-CR-00004-H

FILED IN OPEN COURT  
ON 2/12/2020 (14)  
Peter A. Moore, Jr., Clerk  
US District Court  
Eastern District of NC

UNITED STATES OF AMERICA                     )  
  ) STIPULATED JUDICIAL ORDER  
  ) OF REMOVAL  
  )  
LEOPOLDO GARCIA-ALTAMIRANO            )

Upon the Application of the United States; upon the Factual Allegations in Support of Judicial Order of Removal; upon the statement and consent of Leopoldo Garcia-Altamirano ("defendant") and upon all prior proceedings and submissions in this matter; and full consideration having been given to the matter set forth herein, the Court finds:

1. The defendant is not a citizen or national of the United States.
2. The defendant is a native of Mexico and a citizen of Mexico.
3. The defendant entered the United States unlawfully at an unknown place and date.
4. The defendant was not then admitted or paroled after inspection by an immigration officer.
5. At the time of sentencing in the instant criminal proceeding, the defendant will be convicted in the United States District Court, Eastern District of North Carolina, of the sole count of the Indictment, charging unlawful and illegal alien in possession of a firearm, in violation of Title 18 United States Code, Section 922(g)(5)(A).

6. The maximum term of imprisonment for a violation of Title 18, United States Code, Section 922(g)(5)(A) is 10 years. Given that the defendant pleaded guilty pursuant to a plea agreement to the sole count of the Indictment the maximum sentence faced by the defendant for having violated the sole count of the Indictment is 10 years' imprisonment.

6. The defendant is, and at sentencing will be, subject to removal from the United States pursuant to: 8 U.S.C. § 1182(a)(6)(A)(i) as an alien present in the United States without being admitted or paroled, or who arrives in the United States at any time or place other than as designated by the Attorney General.

7. The defendant has waived his right to notice and a hearing under Section 238(c) of the INA, 8 U.S.C. § 1228(c).

8. The defendant has waived the opportunity to pursue any and all forms of relief and protection from removal.

WHEREFORE, IT IS HEREBY ORDERED, pursuant to Section 238(c) of the INA, 8 U.S.C. § 1228(c), that the defendant is ordered removed from the United States to Mexico promptly upon his completion of a term of imprisonment, if any.

IT IS SO ORDERED this <sup>12</sup>12 day of February 2020.

  
MALCOLM J. HOWARD  
Senior United States District Judge